

ORIGINAL

OPEN MEETING AGENDA ITEM



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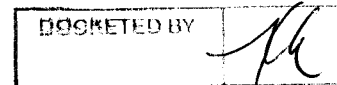
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AZ CORP COMMISSION
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Arizona Corporation Commission

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AUG 08 2016



BEFORE THE ARIZONA CORPORATION COMMISSION

11 IN THE MATTER OF THE
12 APPLICATION OF LIBERTY UTILITIES
13 (LITCHFIELD PARK WATER & SEWER)
14 CORP. FOR AN ACCOUNTING ORDER
15 AUTHORIZING THE DEFERRAL OF
16 COSTS ASSOCIATED WITH EFFORTS
17 TO ADDRESS THE POTENTIAL
18 CONTAMINATION OF WATER SUPPLY
19 LOCATED IN MARICOPA COUNTY,
20 ARIZONA.

DOCKET NO. W-01427A-16-0200

RESPONSE TO RUCO'S COMMENTS

21 Liberty Utilities (Litchfield Park Water & Sewer) Corp.'s ("Liberty Litchfield
22 Park" or "Company") hereby responds to the comments filed on August 4, 2016 by the
23 Residential Utility Consumer Office ("RUCO"). In no uncertain terms, RUCO's response
24 demonstrates exactly why the Commission must act to grant the relief requested by
25 Liberty Litchfield Park in this docket.

26 RUCO claims to understand the safety issues that exist and admits that this matter
presents special circumstances. But RUCO also says that it cannot support the
Company's request because there is no EPA mandate that PFOA/PFOS be remediated.
In other words, RUCO wants the Company to invest capital and incur expenses for the
safety of customers and reserve RUCO's right to argue later that the Company did not

1 need to make that investment. This is exactly why Liberty Litchfield Park came to the
2 Commission. It is without question that the right thing to do for customers is for the
3 Company to be proactive and address the PFOS/PFOA contamination. The Company
4 asks the Commission to order the remediation because, as RUCO asserts, it is not yet
5 mandated by the federal or state government.

6 But the mandate Liberty Litchfield Park seeks is not the blank check RUCO seeks
7 to portray. Obviously, the Company can only estimate the total costs to comply with a
8 Commission-mandate to remediate PFOA/PFOS. Moreover, the Company fully expects
9 Staff and RUCO to verify that the amounts spent were in fact incurred to do so in the rate
10 case. Given these special circumstances, however, Liberty Litchfield Park should not be
11 subjected to second guessing in a future rate case because there is not yet a clear EPA
12 mandate for PFOA/PFOS.

13 RESPECTFULLY SUBMITTED this 8th day of August, 2016.

14 SHAPIRO LAW FIRM, P.C.

15
16 By: 

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1 **ORIGINAL** and 13 copies of the
2 foregoing were hand-delivered this
8th day of August, 2016 to:

3 Docket Control
4 Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

5 **COPY** of the foregoing was hand-delivered
6 this 8th day of August, 2016, to:

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